

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

Case No. 06-14017

Honorable John Corbett O'Meara

v.

KRISTINE R. BROTHERTON, LEZLIE L.
MANZER-LOOMIS, and RUTH A.
MANZER,

Defendants.

and

RUTH A. MANZER,

Defendant/Cross-Plaintiff,

v.

KRISTINE R. BROTHERTON and LEZLIE L.
MANZER-LOOMIS,

Defendants/Cross-Defendants.

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OPINION AND ORDER
GRANTING MANZER'S MOTION FOR DEFAULT JUDGMENT

This matter came before the court on Ruth Manzer's amended motion for default judgment against Kristine R. Brotherton ("Brotherton") and Lezlie L. Manzer-Loomis ("Manzer-Loomis"). Neither Brotherton nor Manzer-Loomis filed a response. The motion was set for hearing December 20, 2007, at which time the court heard from Brotherton and Manzer-Loomis for the first time. The court took the motion under advisement, Manzer filed a supplemental brief, and Brotherton and Manzer-Loomis filed a response.

Plaintiff Metropolitan Life Insurance Company ("Metlife") filed a complaint for interpleader against Defendants regarding a life insurance policy payable on the life of Gerald. R. Manzer as issued by his former employer, General Motors Corporation. Metlife has paid into the court the sum of \$24,432.78, representing the entire life insurance benefit due under the policy, and has been dismissed from this action.

Clerk's entry of default has been entered against Brotherton and Manzer-Loomis, and Manzer filed this motion for entry of default judgment. Brotherton and Manzer-Loomis have now presented to the court the purported last will of their father Gerald R. Manzer, in which he expressed his intention to bequeath Ruth A. Manzer, his wife, only one dollar. However, at the time of Gerald's death, Ruth was still listed as the beneficiary of the Metlife insurance policy. Therefore, the court will grant Manzer's motion for default judgment.

ORDER

It is hereby **ORDERED** that defendant/cross-plaintiff Ruth A. Manzer's amended motion for default judgment is **GRANTED**.

It is further **ORDERED** that the funds being held by the Clerk of the Court be paid to defendant/cross-plaintiff Ruth A. Manzer and her attorneys Powers, Chapman, DeAgostino, Meyers & Milia, P.C., in the amount of \$24,432.78, plus any additional applicable interest.

s/John Corbett O'Meara
United States District Judge

Date: June 19, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, June 19, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager